IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 8TH DECEMBER 2006 / 17TH AGRAHAYANA 1928

WP(C).No. 32650 of 2006(J)

PETITIONERS:
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1. M.G.AJAYAKUMAR, S/O.RAJAPPAN,
MANATHANATHU HOUSE, KUDAYATHOOR,
P.O.THODUPUZHA TALUK.

2. SHEEBA AJAI, W/O.AJAYAKUMAR,
DO. DO.

BY ADV. SRI.MATHEW JOHN (K)
SRI.SUJESH MENON V.B.

RESPONDENTS:
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1. M.K.CHITHAMPARAM PILLAI,
S/O.KRISHNA PILLAI, MULLUPPPARAMBIL HOUSE,
KUDAYATHUR VILLAGE, THODUPUZHA TALUK.

2. THANKACHAN, S/O.JOSEPH,
KOTTAKKAL VEEDU, KUDAYATHOOR KARA AND VILLAGE,
THODUPUZHA TALUK.

3. THE SUB INSPECTOR OF POLICE,
KANHAR POLICE STATION.

R3 BY G.P.SRI.P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.KOSHY & K.R.UDAYABHANU, JJ.

W.P.(C)NO.32650 OF 2006

Dated 8th December, 2006

JUDGMENT

Koshy,J.

This is a petition for police protection for constructing boundary wall. Under Article 226 of the Constitution of India this court will not decide disputed civil questions or fix boundaries. Petitioners also stated that already a civil case is pending, that they got an injunction and that appeal is pending. In pending civil matters, a writ of mandamus cannot be issued under Article 226 of the Constitution of India. Petitioners have to obtain orders from the civil court. Without prejudice to the rights of the petitioners in the civil court, this writ petition is disposed of.

J.B.KOSHY
JUDGE

K.R.UDAYABHANU
JUDGE

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